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File No. Local Boards I/47

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Legal **DEPARTMENT**

B **BRANCH**

H/2315

Subject:— Rules and Notifications under the Bombay Local Boards Act, 1923.

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C O N T E N T S

Legal Department File No Local Boards II/47

Sr. No.	Compilation No.	Subject	Pages.
		Rules & Notifications under the B'bay Local Boards Act, 1923.	
1.	O.No. 3117/31/3/47	Sec. 131 A -- Notification under Sec. 4,6, and 133(a)	1-3
2.	O.No. 508A/17/5/47	Notification under Sec. 133(f) -- Notification under	5 7-9
		Sec. 133(c) -- Notification under	11
3.	G.R.H. & L.S.D. No. 2562/33/25-7-47	Sec. 133(f) -- Notification under in insertion f rule 160(4)	13-15

Mjr/10/5/

5 C.

In place of the proposed draft notifications under section 131 A of the Bombay Local Boards Act, 1923, at pages 161-162 and 167-170 ante, revised drafts there-of are sent herewith. As observed by the U.S., G.D. at page 133 the reconstituted District Local Boards are to come into effect from 1-4-1947. Accordingly, the recised draft notifications provide that the old District Local Boards shall be dissolved with effect from 1-4-1947 and the members of the old Boards shall vacate their offices with effect from 1-4-1947 and the nominated members of the reconstituted Boards shall hold office upto the 31st March 1948. G.D. should verify whether it is so intended.

It is presumed that the proposed draft notifications under section 4,6 and 133(a) of the Bombay Local Boards Act, 1923 at pages 163-165 and 171 to 174 are to be issued as a result the direction under section 131 A(1) that local boards shall be reconstituted for the District Local Board, Bombay Suburban District and Thana district with their revised limits. A preamble to this effect has be n inserted in the revised draft notifications in their place, sent herewith.

Before all the four revised draft notifications are issued, the G.D. should verity whether the revised drafts carry out their intention and fill in the blanks therein.

Sd/- D.V.Vyas
O.C.

Remembrancer of Legal Affairs

U.R. to G.D., No. 3117 dated the 31st March 1947

Mjr/10/5.
4 C.

General Department
Bombay Castle, March 1947

O R D E R.

Bombay Local Board Act, 1923

No. 4374/33/(c):- Whereas by Government Notification in the Revenue Department, No 9825/33-III, dated the 24th September 1945, certain villages specified in schedule A annexed thereto and forming part of the South Salsette Taluka in the Bombay Suburban District have, with effect from the 1st October 1945, been excluded from the said district and included in and from part of the Thana Taluka in the Thana District;

Now, therefore, in exercise of the powers conferred by section 131A of the Bombay Local Boards Act, 1923 (Bom. VI of 1923), the Government of Bombay is pleased-

(1) under sub-section (1) to dissolve, with effect from 1st April 1947, the District Local Board, Thana, as constituted under Government Notification, General Department , No 7830/IV/C, dated the 15th February 1938 and to direct that the members of the said dissolved Board shall vacate their offices with effect from the 1st April 1947 and that a Local Board shall be reconstituted for the Thana District with its altered limits.

(2) under sub-section (2), to direct that the District Local Board, Thana, as reconstituted, shall consist of the following nominated members for the constituencies mentioned against them, namely:-

Names of members	Names of Constituencies	Number of members.
x to be filled in the G.D. x x x	x x x x ; and	x x

(3) under sub-section (3), to direct that the said nominated members of the said reconstituted Board, shall

P.T.O.

hold office up to the 31st March 1948

By order of the Governor of Bombay,

Secretary to Government.

Mjr/10/5

4 C.

General Department
Bombay Castle, March 1947 .

O R D E R

Bombay Local Boards Act, 1923

No. 4374/33/(c) Whereas by Government Notification in the Revenue Department No. 9823/33-III, dated the 24th September 1945, certain villages specified in Schedule A annexed thereto and forming part of the South Salsette Taluka in the Bombay Suburban District, excluded from the said district and included in and from part of the Thana Taluka in the Thana District.

And whereas by Government Notification, General Department No. × , dated × issued under sub-section (1) of section 131 A of the Bombay Local Boards Act, 1923,(Bom.VI of 1923) hereinafter refered to as the said Act the Govt.of Bombay has directed that a Local Board shall be reconstituted for the Thana Distt. with its alters. altered limits; now, therefore, in exercise of powers conferred by section 4,6, and clause (a) of section 133 of the said Act, and in supersession of the Orders issued in Government Notification, General Department No. 7830/IV/C, dated the 15th February 1938, in so far as they relate to the District Local Boards, Thana the Government of Bombay is pleased to make the following order, prescribing the constitution of, and the number and extent of the constituencies of the District Local Board, Thana, namely:-

× To be filled in by G.D.

1. The Thana District shall be divided into General constituencies and a Muhammadan constituency, as specified in Schedule I appended hereto. There shall be 50 elected members of the District Local Board, of whom 48 shall be elected by the General constituencies and two by the Muhammadan constituency.

2. The total number of members to be elected by each constituency specifed in column 2 of Schedule I appended hereto, shall be as shown against it in column thereof, of which in the case of General constituencies the number of seats specified in columns 4 to 7 of the

said Schedule against any Constituency shall be reserved in that constituency for the representatives of women, Harijans, Backward Tribes and Indian Christians, respectively.

3. The extent of each of the General and Muhmmandan constituencies shall be as shown against it in column 3 of Schedule II appended hereto.

Schedule I

S.No.	Name of Constituency	No of members to be elected	No. of Seats reserved for representatives of women,	No of seats reserved for representatives of Harijans.	No of Seats reserved for Backward Tribes.	No of Seats reserved for Indian Christian	
1	2	3	4	5	6	7	
	X	X	X	X			X To be filled in by G.D

Schedule-II

S. No.	Name of Constituency	Extant of Constituency.	
1	2	3	
X	X	X	X To be filled in by G.D.

By order of the Governor of Bombay,

Secretary to Government.

Mjr/20/5
4 C.

The proposed draft amendments at pages 53-55 ante have been put in the form of notifications, revised drafts of which are sent herewith. Under the proviso to section 133 of the Bombay Local Boards Act, 1923 they require previous publication.

2. It is presumed that the powers vested in the Local Board and intended to be exercised by the President or the Board's Engineer approved by Government are in respect of village water supply works entrusted by Government to the Local Board for execution. In order to avoid ~~the~~ portion it is desirable that the said powers should be exercised either by the President or the Board's Engineer approved by Government. Accordingly in the revised draft notifications it has been provided that they shall be exercised by the President. The Health and Local Government Department should verify whether the revised drafts carry out its intention.

Sd/-
P.M.Lad./17/5

O.C.
Remembrancer of Legal Affairs.

U.R. to H. & L.G.D. No. 5084 dated the 17th May 1947

Mjr/10/5/
4 C.

Notification

Bombay Local Boards Act. 1923

Nos. S. 92/- The following draft of a Notification which it is proposed to issue in exercise of the powers conferred by clause (f) of section 133 of the Bombay Local Boards Act, 1923 (Bom.VI of 1923), is published as required by the proviso to the said section 133 for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after the * May 1947

To be filled in by H.&.L.G. Deptt.

2. Any objection or suggestion which may be received by the Secretary to the Government of Bombay in the Health and Local Government Department from any person with respect to the said draft on or before the aforesaid date will be considered by Government.

DRAFT NOTIFICATION

No. S. 92- In exercise of the powers conferred by clause (f) of section 133 of the Bombay Local Boards Act, 1923 (Bom.VI of 1923), the Government of Bombay is pleased to amend the Bombay Local Boards Account Code, 1935, as follows, namely:-

After sub-rules (4) of rule 160 of the said Code, the following shall be inserted-

"(5) Notwithstanding anything contained in the rules in this Chapter, all the powers vested in the Board, shall be exercised by the President in respect of village water supply works entrusted by Government to the Local Board for execution.

Provided that all tenders and contracts for works estimated to cost more than Rs.5,000/- each shall be sanctioned by the Government Executive Engineer."

By order of the Governor of Bombay,

Secretary to Government.

Mjr/10/5
A.G.

Health and Local Government Department11
Bombay Castle. May 1947

NOTIFICATION

Bombay Local Boards Act, 1922

No. .- The following draft of a notification which it is proposed to issue in exercise of the powers conferred by clause (c) of section 133 of the Bombay Local Boards Act, 1923 (Bom.VI of,1923) is published as required by the proviso to the said section 133 for the information of all persons likely to be affected therby, and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after the X May 1949

XTo be filled in by H.&.LG. Deptt

2. Any objection or suggestion which may be received by the Secretary to the Government of Bombay in the Health and Local Government Department from any person with respect to the said draft on or before the aforesaid date will be considered by Government.

DRAFT NOTIFICATION.

No. .- In exercise of the powers conferred by clause (c) of section 133 of the Bombay Local Boards Act, 1923(Bom. VI of 1923), the Government of Bombay is pleased to amend the rules published under Government Notification, General Department, No 4456, dated the 24th June 1924, as follows, namely:-

1. After rule 1 of the said rules, the following shall be inserted:-

" 1.A. Notwithstanding anything contained in rule 1 all powers vested in the Local Board shall be exercised by the President in respect of village water supply works entrusted by Government to the to the Local Board for execution.

Provided that all tenders and contracts for works estimated to cost more than Rs.5,000/- each shall be sanctioned by the Government Executive Engineer".

P.T.O.

2. Existing rules "1-A and "1-B of the said rules shall be renumbered and re-lettered as rules "1-B" and "1-C" respectively.

By order of the Governor of Bombay

Secretary to Government.

Mjr/10/5

4 C.